


REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) <div style="text-align: center;">115808-239</div>						
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		In re Application of Duport et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 09/633,314</td> <td style="padding: 2px;">Filed April 10, 2001</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For CANNED FILLED PET FOOD</td> </tr> <tr> <td style="padding: 2px;">Art Unit 1761</td> <td style="padding: 2px;">Examiner Steven L. Weinstein</td> </tr> </table>	Application Number 09/633,314	Filed April 10, 2001	For CANNED FILLED PET FOOD		Art Unit 1761	Examiner Steven L. Weinstein
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For CANNED FILLED PET FOOD								
Art Unit 1761	Examiner Steven L. Weinstein							
Signature _____ Typed or printed name _____								
Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.								
The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3))		\$ 1080.00						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____						
<input type="checkbox"/> A check in the amount of the fee is enclosed.								
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.								
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.								
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-1818</u>								
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.								
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
I am the								
<input type="checkbox"/> applicant/inventor.		 _____ Signature						
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)		_____ Typed or printed name						
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>30,142</u>		_____ May 13, 2009 Date						
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		_____ 312-807-4204 Telephone number						
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.								
<input type="checkbox"/> *Total of _____ forms are submitted.								

This collection of information is required by 37 CFR 41.20(b)(3). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Dupont et al.
Appl. No.: 09/833,314
Conf. No.: 4353
Filed: April 10, 2001
Title: CANNED FILLED PET FOOD
Art Unit: 1794
Examiner: Steven L. Weinstein
Docket No.: 115808-239

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' REQUEST FOR ORAL HEARING

Sir:

Appellants submit herewith a Request for Oral Hearing (\$1,080.00) in response to the supplemental Examiner's Answer dated March 17, 2009. Appellants respectfully submit that such Request is timely pursuant to 37 C.F.R. § 41.47(b). Appellants also note that they will not file a second reply brief in response to the supplemental Examiner's Answer because Appellants do not believe it is required under M.P.E.P. § 1208.

The Director is authorized to charge \$1,080.00 for the request for oral hearing, and any additional fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 115808-239 on the account statement.

Respectfully submitted,

K&L GATES LLP

BY

Robert M. Barrett
Reg. No. 30,142
Customer No. 29157

Dated: May 13, 2009